

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION**

Civil Action No. 4:11-CV-00094-BO

BRUCE BANNISTER; MAX DUTTON;  
and MARION TOWLES;

Towles,

vs.

WAL-MART STORES EAST, L.P.,

Defendant.

**APPENDIX TO DEFENDANT'S  
MOTION FOR SUMMARY  
JUDGMENT REGARDING MAX  
DUTTON'S CLAIMS**

**G-3**

**Declaration of Adoncia Span Exhibit 3**

Email from M. DeBarros attaching Store 2000 Red Store Visit Concerns (8/24/2009)

Message

**From:** Marie Debarros [/O=WAL-MART/OU=HOMEOFFICE/CN=RECIPIENTS/CN=F9A0A1CD5AB011D5B13C002035673F01]  
**Sent:** 8/24/2009 8:47:38 PM  
**To:** Noah Johnson [noah.johnson@wal-mart.com]; Melody Fogarty [melody.fogarty@wal-mart.com]  
**CC:** Adoncia Spann [adoncia.spann@wal-mart.com]; Marie Debarros [alta.de\_barros@wal-mart.com]  
**Subject:** Store 2000 Red Store Visit Information  
**Attachments:** Debbie in Personnel.pdf; Diana Harris concerns.pdf; Max Dutton concerns.pdf; Statements on investigations store 2000.pdf; Draft of AOS plan for 2000.pdf

Hello,  
I am going to give a bullet point debrief for the concerns uncovered at the facility. I will include attachments of statements and the facility assessment done for your review. I will answer any questions as they come up or if you have anything more needed from me just let me know.



Debbie in  
Personnel.pdf



Diana Harris  
concerns.pdf



Max Dutton  
concerns.pdf



Statements on  
investigations st...



Draft of AOS plan  
for 2000.pdf

Marie in Accounting  
Needs a new Teller mate

Mark in Receiving  
Needs air conditioner fixed, too hot.

Tina 3rd shift  
Knows the open door does not work, what ever is said gets back to other associates.  
Management has favorites.  
She was told by the store manager that "She was not the right fit for a department manager position due to her being a female".  
Store Manager will not listen to 3rd Shift issues because He said "all they do is complain".  
Management is divided as a team, everyone talks about everyone else.  
3rd shift does not get the same communication as 1st and 2nd shift. They don't have meetings just give out direction.  
Says she is not comfortable talking to any of the managers  
Managers never do CBWA.

Bob in Dept. 9  
Too many import merchandise.  
Buyers need to come to the store and get training right for them.

Barry Department Manager 4/13  
Will not use the open door because it will not fix the issues.  
Doesn't know his asst. manager  
Management is not touring and giving input or notes.

Erica in Jewelry  
Needs to fill shifts but told she cannot. Needs a second shift person and is told she can't have.  
Management not touring

Associate Jeff  
Says he has applied for department manager position several times and has not gotten. Has not ever been talked to about why.

John 2nd shift associate  
Says Management does not listen when has a concern.

Ann In Toys  
Does not know the Market Team, would know if she saw as she has seen their pictures but not ever met in person.

Stacy on ICS  
Does not know MKT Team.

Perry in L&G  
Was interviewed for the department MGR position, did not get but no one ever got with him to say why.

Vivian Cashier  
Drives 45 minutes to work and only scheduled 4 hours.

Harry the People greeter  
PT status working FT hours.

Cheryl Dept mgr D9  
Wrong traits in department HO not listening to needs.  
Printer in dept broken

Pat dept mgr 27-31  
Staffing an issue

Mark ?  
Open door does not work  
Felt he was passed over for a position, that he worked in for 5 weeks. The position was given to Shirley an Office associate. Stanley wouldn't work with her so they moved Stanley to overnight and put Mark in his position. Req is still pending.  
Does not believe promotion process is fair, believes decisions are made in advance. Preselection is the rule.

Katrina in D-16  
Open door does not work.  
Schedules an issue  
Changing schedules and no coverage an issue  
Don't know who asst. manager is and they do not use the sundown rule.

Mills  
The air cond. Needs to be fixed  
Telxons way too old and not effective anymore  
Associates need to be replaced that got promoted.

David in electronics  
Only goes to Max with an open door  
Calvin is the only Market team member that he knows.  
Asst mgr Chris talks down to him

Connie O/N foods  
Does not trust Clay  
Promotions are not done fairly  
Has been told by Max that she will not be promoted because "He can't replace her as a stocker"  
When Connie went to Clay about her concerns in the department, Clay told her that he runs 3rd shift not her and she didn't have the right to ask another associate why they didn't stock.

Janet O/N Stocker  
No confidentiality refuses to use the open door. Asst. Debbie has told her business in the past.  
Has called ethics line before. Feels entire management team is ineffective.  
Refuses to use the open door with Max fear of being belittled or called a kindergartner or a gossipier.  
Feels that every promotion is planned and that Max has an agenda already in place when selecting.  
Feels overnight is overlooked by management and Market team.  
Max only meets with them on Sat. Morning not during shift so he doesn't have to deal with their opinions.  
Managers Clay and Debbie show favoritism.  
Believes Max plays too many games with assoc. on days causing Morale issues.

Teresa in Invoice  
Need more directs people in the summer

Asst. mgrs need more training.  
Short in management. 3 members of management Feb to May.  
Market team not effective at all.  
Need to be able to hire when needed.  
Adversarial relationship between store mgmt and market team.  
Market manager does not care makes you feel very devalued.  
Debbie B. defiant, troublemaker, not a team player  
Scorecards Roll and stick losing focus on what's important.

#### Rafael CSM

Need more cashiers.  
Department managers will not respond when busy.  
15 year CSM never scheduled nights. She has stated that store manager Max has approved that schedule for her.  
Claims Eric and Clayton play cards on the clock and says this is time theft.

#### Debbie in Personnel

Promotions are done unfairly. People are preselected.  
Debbie was told by Max, "the reason for this audit was because Tracey and Dawanna completed the investigation incorrectly and would be terminated" so she needed to make sure she said positive things about the store.  
Feels Max is upset with the Market Team because he can't control them. Max Blames the Market Team for everything in front of the Associates.  
Associates are scared for their jobs, Assistant managers are treated poorly, yelled at and stepped on, Has seen Max get in the face of an assistant manager and scream at them.  
Max has said in front of Debbie and Theresa "Lets go and threaten some dept. manager some more".  
There was an assistant manager that was so mistreated she walked out. Max drew pictures of her and made fun of her because she was a vegetarian. Max said She was doing too many drugs and drank all the time.  
Max threatens assistant mangers and department managers that Eric is going to come in with his gun and the red dot target is going to be on their head.  
Theresa Runs the store. She answers Max's email, holds keys to the store, influences decisions with Max,  
Management is not doing training plans, evals are late, not involved in CMW.  
Max has said The market team is Lazy and stupid, we are not to take direction from them they don't have a clue as how to run the market. He has said this in front of Sammy and Theresa.  
Max has told Debbie that there are people coming to his house and discussing business like who does not want him in the store....  
Max does not do the final job offer in the store Sammy does.  
Max controls who is hired and promoted.  
The store is on the MAX and Theresa programs not wal-marts program and policies.  
When the store participated in the March of Dimes or relay for life Max had the associates passing out cuzie cups with Vote for max Dutton for commissioner of Dare county.  
Debbie says Max ask Melissa from Coppertone for a donation for CMN. Because Melissa ask Debbie How much she should ask for from her boss. Debbie said she didn't know and wanted nothing to do with it. She went to Max and Coppertone sent a check.  
Art Glidden comes into the wal-mart store to do fund raising for CMN.  
Theresa in invoice made up her own business cards to help with vendors to get donations.  
Theresa has done commissioner work for Max. Theresa just runs the whole store.  
Everyone has to cut their OT but Theresa.  
Shirley C. in DSD works whatever she wants too per Max. Shirley covers Theresa's office so she can do work for Max.  
Max said he needed to train Eric Litchfield as he knows nothing about being a MM.  
Max would rather use OT than hire correctly.  
Max and Sammy have stood at the front of the store and saluted one another, Making fun of Eric the new MM.  
Morning meetings can take from 30 min. to an hour and a half. You ask Max a question he does not know how to fix anything.  
Theresa said if she ever had to work with Tracey Battle she would quit because she cant stand her.

Customer Mrs. Turner came in on 8/19 to site to store and wanted a refund on an item that was in transit to the store. Max told Tracy Helton to take care of it and Tracy wouldn't due to not being procedure. Max took the customers information and she believes he did it anyway.  
Max told Debbie that Turner in Greeneville store called him and said that he was getting a code red investigation.

#### Diane IN Department 34

Overheard Max and Theresa soliciting Vendors for donations to CMN over the phone, asking for money. She believes this is an ethics issue.

Very fearful of retaliation.

I have included the rest of Diane's issues in the attachment, included.

A. Marie De Barros  
Market Human Resource Manager  
Market 125  
Phone: 843-267-0542  
Office: 843-215-3688

page 1

2/20/09 - Max is very Reff on Dept Mgrs. He spends his time w/ Theresa S. He is hardly here anymore & when he is, He just verbally beats everyone up.

2/21/09 Tonya Moore (Asst Mgr) walks out. Due to continue harassment to her from Max. He jokes her, & draws pictures of her w/ notes on it. He tells her, her works not good enough. When she walked out, Max sent me & Theresa S to Tonya's house to try tell her to come back before 12 noon. She said, She had enough of him. When we got back we told Max she said No, He said Good, only the strong survive.

2/25/09 Tonya M. came to see all of us. She knew Max, was not here. While Tonya was here. Jacqueline A. told us how Max, sent someone to her house to pick her.

3/4/09 I ask Sammy to do his Eval, Get Shirley done. They wait til last minute to do anything or put it off on someone else.

3/5/09 Camie Burton (CSM) talked to Max today, said she was surprised Tony wasn't with us. Max told Camie, he wasn't surprised at all.

3/6/09 Theresa S - sets in on Conf Calls w/ Max + Sammy -  
Everyone sets on/offs except Theresa S, she works when she works to.

3/7/09 Found Debbie B. (CSM) crying today w/ Kim Brand, + Sammy told me, Max is on a Roll again.

3/10/09 Max had me in front of Sammy + Tony Taylor: about being exchange students, he does that + creates those problems not me.

3/10/09 Assoc. James Vunderer: Worked on the FE as a Greater PT/ He accepted a PT job in else to get off the FE. He was told in full about his benefits + vac time ect. He would loose that. James went to Max + Max tried to get Tony + I to give him his vac hrs anyway after checking w/ Pay Ad. about it. Max threatens me with this for months.



3/10/09 Max wants CSM's to do scheduling & do all the hiring for FE. I informed them they can not do this, and Max told the CSM's not to listen to me. Just do as he says.

3/11/09 Diane Harris come to me about Terry C. (CSM) attacking Maxine, I talked to Max, but Max lets Terry change schedules and do as she pleases.

3-12-09 Received a phone call from Matthew C. (O/N) while he was working another store, from Max, got all over Debbie B.

Debbie B. steep upset, because Max treats her like he does. (He has a problem working w/ women + black people)

3-13-09 Theresa S. gives Max a Surprise Birthday Party @ work. All Assoc. was very upset + Max didn't even share w/ them. He stayed in his office



Page 4

Max left early. Left Theresa in charge. Again. She is only (Invoice Clerk) She carry keys to everything & also Max's sign on for everything.

3-16 Marie Fog. in Asst: said I like Max But, sure does not treat the Asst Mgrs right especially the women.  
Asst. Mgr Clay: thinks Max is losing it.

3-17 Shirley doing Theresa's job, so Theresa can do Max's job. Assoc. don't like it.

3-18 Max started on me again today, about James Infender, that he was going to have 60 minutes in this store, & Max was on his side. We need to pay him as for time. I said, No. If you want it, you do it.

3-20 - Max & Theresa on Conf Call together

3-21 - Max tried, to get Tony Taylor, to key in James Infender's time (Woe) I talked him out of it.

3-24 Remade - Max, had Georgia from Resdex run off - He is so mean. To her & Lisa.

3/26 Max Theresa Samy @ Subway 8 AM  
Max + Theresa talking about how much Tracy B  
is H.M. He also started on me about  
James Myland again

4-1-09 Max up tight again.

4-2-09 Ken G + I talked to Teresa Chaplin about  
Max threatening Dept Mps in morning meetings  
w/ their jobs

4-4-09 I was in my office + a cust. called  
Max about Cust Service, it took the  
call in my office + hung up the phone  
+ said, "That Bitch."  
Samy was working on batteries outside my  
office + Max told him about it, he said  
that woman goes to your church Samy

4-6-09 Samy running scared, O. Its a shame to  
come to work + get threatened everyday.

4-7-09 Don A. came to me about Max,  
being mean in AM meeting Again

4-10- Max + Theresa - Say Eric L. is going to fire Calvin - Tracy, Lawrence + Debbie B because there a large bunch of people.

4-10 - Robert Prid / Moore Crying in my office over treatment from Max.

4-11 - New Asst. Tracy Nelson starts today.

4-21-09 Max was upset w/ me again because I told CSM's they couldn't do hiring. Only interviewed

Max was upset w/ Sammy because Max left, + Sammy told Eric. He didn't know where Max was.

4-22-09 Max told us Eric L. approved us to give Norma Bailey 300.00 Advance on her check. to help her, not loose her home. We had a cook-out for her, but she didn't get the 100.

4-24-09 Here is PSD - Mark S.  
 { Dept 46 - Ann MCF - City Falls  
 Toys

4-25-09 - PSD - was changed again to Sheriff C. by Max + Theresa S.

4-28- Thomas in Max Office most of the day

5-18- Max Called Me to Subway for a meeting in Ref: to Tracy B. - E-mail. He said, I was rubbing elbows w/ Tracy B. Max told Sammy in front of me. That Turner in Greenville said, Tracy B, don't do shit for them. Thomas was there also, so were customers.

4-20 Eric L. said, No OT/HRS.  
Max said: He don't have him trained yet.  
I had a meeting w/ Assoc today + sent notes into my M.H.R.M.

4-21 Unbeatable Excellence! Max wanted me to give us all yes's = I said No, I can't do that. He said, Give me that sheet. I said No!

5-22 Debbie B - leaves crying again, because of Max while in Subway; Max then left Mps under the bus, because they worked other depts & weren't ready - because of him.

Several Assoc Come to me again today Max let them leave today + Me to because I wouldn't cheat on my paper.

5-27- Max said to me, Tracy B. sent me some E-mails about Ast Mgrs. Is she on drugs? (Tracy Helton sitting next to me)

5-29 I talked w/ David Ecker, and said I was sorry, he heard Max chew me out, because I wouldn't cheat, or unethical behavior for him. David said, Miss Debbie, you did the right thing, Don't worry. It's ok. Max said, I wasn't part of the team 2000.

6-1-09 I found more time adjustments on the archives where Theresa S. filed her to w/ Max's sign on.

6-4-09 = Attorney Donalds Office, Lew Smith. Sammy 11:30 - Max @ 12 Theresa 12:30 Debbie 12 @ 1 = Theresa + I left Store @ 12:20 and got to office & they cancelled. I came back to Store & so did Sammy & Theresa & Max came back after 3pm.

6-8- Max threatens Dpt Mgrs again w/ jobs.

6-10 New Ast Mgr. Tracy H. wants to transf. from our store because of Max



6-10 Dept Mgr - elec. - Crying because of Max.  
She's going to loose her job

6-14 Art Dudden - fund raising inside store

Beach Days = Eric said One day  
Max took 3 days.

6-12 Theresa S - called me on sales floor  
& said. I told you not to talk w me  
Kim Grant, and now I'm going to  
beat her ass. (Visit from Mary B + Dawna +  
Eric)

6-15 Max - ask Marie in Acct about the  
Visit - Liner station)

6-18 = Max ask me to clock-in Richard  
Helms - (Him not there) So Max could  
do his CBZ & I give Max - Richard's password

6-25 - Max said - Marie in Acct & me when  
trying to get her fired

6-30 - Max, made statement that Eric L. (max) is  
setting Max up for failure.

7-6-09 Max - was in my office and  
 Regot mad @ me because I didn't  
 answer him, he slammed my office door.  
 because of instigation about Art Gladden, fund  
 raising in our store. Because L.P. called + took  
 w/ Art because of a Raffle they had in the store  
 + Arts-hely won it, but she didn't buy a ticket.

7-17-09 Tracy H. is out w/ shingles w/ Dis  
 note and Max stopped me in vestibule  
 on my way to work + said, nothing wrong  
 with her, that Va B. My called, him  
 + thank him for taking Tracy H. off their  
 hands, that this week is her toe, next  
 week will be her finger. That she's not  
 more than in.

7-28 = I had a light stroke @ work due to  
 stress, I'm better now. I received no call  
 from Max. @ all. But, Tracy H/Tracy B  
 King G. DeonA called me to check on me.

8-4 I told Max, about my retention boxes  
 + I would need a couple people to help  
 in left boxes + He said we will do  
 them out @ the tracks next week



8-4- We get a crew together:

8-8- I ask Sammy - to bring me, my boxes for retention, so I could get them done. They have to be finished by 8-12-09 for P/4  
Sammy had Jack D. to get my boxes & bring inside its 982 out there (outside)

Max came down the hall, and put his hands on his hips & yelled @ me.

Didn't I tell you, that we would put a few together & do this next week, and if you need a lawn chair & a ice tea we will get you one.

I said, Sorry Max, it suppose to be on the 100<sup>th</sup> all week, I have no choice but to do them this way.

Also Tracy Ball, gave me permission to bring them inside & do them, not only it is hot out there in those trailers, but there snakes out there also.

# Unbeatable Excellence

## 9 People – SC/WM/NHM

SELECT  
YES (Y)  
OR NO (N)

1.	Is the Front End Schedule for planned hours at or above 90% last week? <b>Benchmark- Review Front End Scorecard. Enter Score</b> <u>92%</u>	Y <input checked="" type="radio"/> N
2.	Is the Accounting Office Schedule for planned hours at or above 90% last week? <b>Benchmark- Review Accounting Scorecard. Enter Score</b> <u>89%</u>	Y <input checked="" type="radio"/> N
3.	Is the Stocker Schedule Actual to Planned hours at or above 90% last week? <b>Benchmark- Review Backroom Scorecard. Enter Score</b> <u>76%</u>	Y <input checked="" type="radio"/> N
4.	Is the Store adhering to the Company Dress Code? <b>Benchmark-WIRE-Market Team Key Resources/Corp Policy/PD-15 Dress Code Policy.</b>	Y <input checked="" type="radio"/> N
5.	Is the AOS Action Plan posted & is progress being made on the "Take Action Areas" identified during AOS? <b>Benchmark- Interview associates for knowledge of key "Take Action Areas", Review Grass Roots Action Plan.</b> <i>Touya - Diane - Joan - Linda - Berry - Jacqueline</i>	Y <input checked="" type="radio"/> N
6.	Is the Associate Lounge, refrigerators, microwaves, clean and appealing? <b>Benchmark- Inspect Lounge for cleanliness. Ensure light bulbs have been removed from all Soda/Vending machines inside the store.</b> <i>Sammy had the cleaned on Monday</i>	Y <input checked="" type="radio"/> N
7.	Is the "Open Door" Poster located in the lounge and up to date? <b>Benchmark- Poster should be located in lounge. Ensure all contact information is current and accurate.</b>	Y <input checked="" type="radio"/> N
8.	Are all Federal & State Employment Posters up to date? <b>Benchmark-Go to WIRE/Work/Compliance/Employment Compliance/Federal &amp; Company required Posters.</b>	Y <input checked="" type="radio"/> N
9.	Does the Store Manager conduct required meetings? <b>Benchmark- Daily meetings for all shifts. Ensure TLE, RX and Optical are included. Overnight meetings must be held. Manager to work overnight once monthly. Interview associates to verify.</b>	Y <input checked="" type="radio"/> N
10.	Does Management utilize Management Routines daily to plan daily meetings, touring, and administrative work? <b>Benchmark- WIRE – Customer Initiatives – Management Routines</b>	Y <input checked="" type="radio"/> N
11.	Do Associates understand their impact on MY\$HARE? <b>Benchmark -Verify with 10 Associates.</b> <i>Dorothy Schin, Joan, DOT. MARIE MARY Beverly, Maryline, Tammy R. - Touya C. Berry - Jacqueline</i>	Y <input checked="" type="radio"/> N
12.	Are new hire Associates receiving adequate training to successfully perform their job? <b>Benchmark- Review new hire training plans.</b> <i>MARY C. DOT. Maryline</i>	Y <input checked="" type="radio"/> N
13.	Are New Associate Sponsors in place and providing support for New Hires? <b>Benchmark- Ask 5 most recent new hires for the name of their sponsor and level of involvement with their sponsor.</b> <i>Mary C./Sp. Beverly, Tammy/Sp. Christine, Maryline/Sp. Christine, Colby/Michelle P., Linda/Terry</i>	Y <input checked="" type="radio"/> N

Unbeatable Excellence – People – SC/WM/NHM

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Saving people money  
so they can live better

1

# Unbeatable Excellence

## 9 People – SC/WM/NHM

SELECT  
YES (Y)  
OR NO (N)

14. Is the Unassigned Shift Report utilized in creating open requisitions? <b>Benchmark- Compare the Unassigned Shift Report from the store's SMART system with the Career Preference Report from the MRHM SharePoint site.</b>	<input checked="" type="radio"/> Y	<input type="radio"/> N
15. Do current open position requisitions reflect the open to hire/staffing needs of the store? <b>Benchmark-Review HR Insight Report.</b>	<input checked="" type="radio"/> Y	<input type="radio"/> N
16. Are Requisitions being worked in a timely manner? <b>Benchmark- Review the Career Preference Report from the MRHM SharePoint Site.</b>	<input checked="" type="radio"/> Y	<input type="radio"/> N
17. Is the FT/PT Scheduling Exception Report reviewed before finalizing schedules? <b>Benchmark- Interview Manager and review FT/PT Exception Report from last week's schedule.</b>	<input checked="" type="radio"/> Y	<input type="radio"/> N
18. Are PNA's properly utilized? <b>Benchmark- Review the posted schedule for PNA's. PNA's should have name of new hire written in red on schedule.</b>	<input checked="" type="radio"/> Y	<input type="radio"/> N
19. Is the Store Manager reviewing the "Time Clock Punch Errors" (formerly "Daily Review of Punch Adjustments")? <b>Benchmark- Interview Store Manager and Personnel Manager for verification.</b> <i>Apt. Scheduling when MAX Away.</i>	<input checked="" type="radio"/> Y	<input type="radio"/> N
20. Are associates only utilizing system generated schedules posted in a central location? <b>Benchmark- Interview associates in outlying service areas (TLE, Pharmacy, Garden Center, Optical etc) to ensure associates are not using handwritten schedules.</b>	<input checked="" type="radio"/> Y	<input type="radio"/> N
21. Are ETA time off requests finalized for the next scheduled week by COB Friday? <b>Benchmark-Review the ETA's in the SMART system.</b>	<input checked="" type="radio"/> Y	<input type="radio"/> N
22. Are all manual changes to finalized schedules noted in "Red" on the Schedule? <b>Benchmark- Inspect current posted schedules for "RED" ink, indicating changes have been made. Interview management, personnel and 5 associates to verify.</b>	<input type="radio"/> Y	<input checked="" type="radio"/> N

Unbeatable Excellence – People – SC/WM/NHM

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so they can live better

2



POP (all items) 48.415 104.220 TOTAL  
 100.00 100.00 100.00

REGULAR 40.00 14.00 54.00  
 100.00 100.00 100.00

TOTAL 54.00 14.00 68.00  
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TOTAL 54.00 14.00 68.00  
 100.00 100.00 100.00

REGULAR 40.00 40.00 80.00  
 OVERTIME 13.00 10.70 31.70  
 TOTAL 53.00 50.70 81.70  
 BONUS 5.23 5.79 11.02

REGULAR 40.00 40.00 80.00  
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 TOTAL 53.00 50.70 81.70  
 BONUS 5.23 5.79 11.02









[illegible][illegible][illegible]

Date: 8-21-09  
Time: 9:00 am - 10:15 am  
Location: store managers office  
Store: 2000  
Associate: Diana Harris  
Interviewer: Calvin Minnifield & Deborah

- Store manager will retaliate on associates if they spoke up about anything or about him.
- Told ASM Tonya I will see that you never work in this county again if she left
- Said that MM Eric has said he will come and fire the associates if there bins are not right.
- Max is threatening at every meeting.
- Teresa still carry keys for every thing in the store, every time he is told to take them away he gives them right by.

#### Fund raising

- They were trying to find ways raise money for CMN and Max said lets just call some of our vendors for donations.
- Jeff Files from Hunter/Island stuff distribution
- Coke would want more space in the store
- Diana did not want to call because she felt that it was wrong and against company policy
- Teresa the invoice associate said that I will call and did call Jeff files from Hunter distribution for Max to help with a donations for cmn
- Art a non associate. This is what Art told Diana one day while they were raising money. He asked how much do you thing we have she said about \$500 and we to should call it a day. Art wanted to stay and raise more because Max promise him half of what they take in for CMN fund rising. The next day Max and ASM Sammy called her into the office and said that Art helps out a lot with rising money and that he called Wal-Mart legal and that they said it was ok to pay Art the money. He also said once they raise any money it was his money and he makes the choice of who get what and when.
- Some days Art would work from 7am until 2pm every day for the week trying to raise money
- There was a time when the store was trying to raise money with a 500 shopping card give away and Art's friend won.
- During his run for county commissioners the associates had to give out drink form cooler. With vote for max on them. They did not know that they ha to do that because they were there to support the store and not Max. They said that they did not get paid and was not on the clock.
- Invoice associate hold the morning meeting when max is not available and she sits beside him at every meeting.

- Max eats lunch with Teresa about every day at the store in Subway or away from the building. She said it still happens, but not as much senses Dawana and Tracey stated there investigation.
- Max knows when the market team and regional team check into a hotel or fly in the airport because he has them call him.
- He had the market team stopped once as a joke, but uses in to flex his power in the community
- The day we all arrived at the store manager max called all the dept mgr into the office by SWAS groups to talk about the top three issues from the AOS so they would know we if we asked questions. Before that they never had a meeting to talk about the top three issues in the store
- She also added once Eric was named our market manager, he and Sammy would tell the associates that we are all in the service now and are in a platoon and had salute.

Friday, Aug 21, 2009

1. the June of this year Max had me and Teresa Sharfelter in his office asking what we could do to raise money for CTM. He said with so little time left, that he would call our vendors and ask for donations. He ask for the phone number for Jeff Ziel - when I brought him the number he ask me to call. I told him if anyone was going to be fired it would not be me! Teresa Sharfelter said "give me the phone I will call" and she did
2. I organized a bake sale to benefit a family who's child had died of crib death. Art Blidder (a man in our community who does a lot of fund raising) spent the whole morning with me in the parking lot raising money. He ask how much we had raised and I told him about \$500 - He said he wanted to stay longer because Max had promised him half of what we took in that day. I was so upset I left. When I came back to work on Mon. morning. Max & Sammy called me to the office closed the door and began telling me that

Date: 8-21-09  
Time: 9:00 am - 10:15 am  
Location: store managers office  
Store: 2000  
Associate: Diana Harris  
Interviewer: Calvin Minnifield & Deborah

- Store manager will retaliate on associates if they spoke up about anything or about him.
- Told ASM Tonya I will see that you never work in this county again if she left
- Said that MM Eric has said he will come and fire the associates if there bins are not right.
- Max is threatening at every meeting.
- Teresa still carry keys for every thing in the store, every time he is told to take them away he gives them right by.

#### Fund raising

- They were trying to find ways raise money for CMN and Max said lets just call some of our vendors for donations.
- Jeff Files from Hunter/island stuff distribution
- Coke would want more space in the store
- Diana did not want to call because she felt that it was wrong and against company policy
- Teresa the invoice associate said that I will call and did call Jeff files from Hunter distribution for Max to help with a donations for cmn
- Art a non associate. This is what Art told Diana one day while they were raising money. He asked how much do you thing we have she said about \$500 and we to should call it a day. Art wanted to stay and raise more because Max promise him half of what they take in for CMN fund rising. The next day Max and ASM Sammy called her into the office and said that Art helps out a lot with rising money and that he called Wal-Mart legal and that they said it was ok to pay Art the money. He also said once they raise any money it was his money and he makes the choice of who get what and when.
- Some days Art would work from 7am until 2pm every day for the week trying to raise money
- There was a time when the store was trying to raise money with a 500 shopping card give away and Art's friend won.
- During his run for county commissioners the associates had to give out drink form cooler. With vote for max on them. They did not know that they ha to do that because they were there to support the store and not Max. They said that they did not get paid and was not on the clock.
- Invoice associate hold the morning meeting when max is not available and she sits beside him at every meeting.



- Max eats lunch with Teresa about every day at the store in Subway or away from the building. She said it still happens, but not as much senses Dawana and Tracey stated there investigation.
- Max knows when the market team and regional team check into a hotel or fly in the airport because he has them call him.
- He had the market team stopped once as a joke, but uses in to flex his power in the community
- The day we all arrived at the store this week for the Red Store visit Max called all the dept mgr into the office by SWAS groups to talk about the top three issues from the AOS so they would know we if we asked questions. Before that they never had a meeting to talk about the top three issues in the store
- She also added once Eric was named our market manager, Max and Sammy would tell the associates that we are all in the service now and are in a platoon and had salute.

Calvin Mindifield

Calvin Mindifield

8-21-09

Deborah Boykin

Deborah Boykin

8-21-09

**TEAM #2000**

Debbie  
Chris  
Sammy  
Tracy  
Clay  
Max

1. Cleaned Smoker Lounge
2. Painted Smoker Lounge
3. New Artwork Pictures
4. Replaced ceiling tile (purchased at Home Depot)
5. Completed Project

1. Breakroom Cleaned
2. Replaced 2 Microwaves
3. Cleaned refrigerators ( 3 A.M. signs refreshed)
4. Decorations – beach balls hanging from ceiling in our Beach Breakroom
5. Completed project (painting was just done)

1. Communications board for all shifts
2. Erasable boards
3. Home Depot (plywood 4' x 5' sheet)
4. Mount boards on plywoods
5. Mount holder for erasable pen, eraser and cleaner
6. Complete

Debbie Bravew  
Clayton L. Dean  
Sammy Hession  
Chris Hession  
Tracy D. Hession  
MK

## MANAGEMENT ROUTINE CHECKLIST

Assistant Manager \_\_\_\_\_

Date \_\_\_\_\_

- Drive entire parking lot and around the back of the store – ensure there are no opportunities and to good neighbor standards.
- Fire Arms Log complete and checked
- A.P.C. tapes changed (check doors and deactivators)
- Ensure all Department Managers have their routines 7 A.M. (walk for exception and perfection. Fix all opportunities quickly.
- Walk stockroom(s)! Start your day and night tours here. Stockroom must be perfectly IMS. Stockroom must be as clean or cleaner than salesfloor.
- CBWA at service desk with all management with Flash Sales and Manager's Recap. Notice any issues both of the reports and get resolved. Take time to practice CBWA with front end associates.
- Tour salesfloor for any exceptions (make notes) and fix quickly.
- Morning meeting/appreciate the successes and emphasize the importance of completing exceptions today. Talk about topic(s) that will engage our associates. Address any opportunities that come out of the meeting.
- Verify Accounting deposits.
- Check event calendar and e-mail.
- Check and execute playbooks. Research for any updates and react promptly.
- 4 x 4 tour each department with that Department Manager
- All day long execute customer service. It's Contagious
- Inventory Management System 10 – 11 AM finalize counts 2 PM – 4 PM all exceptions 100% complete. All three shifts on program (2 PM- 4 PM) (8 – 9 PM) (2 – 3 AM) 6 AM
- Closing zoning list done by 12 Noon and communicated.

\*The key to our success to our Management Routines is excellent communication between all members of management and associates.

MUST BE COMPLETED DAILY BY OPENING ASSISTANT MANAGER AND  
TURNED INTO STORE MANAGER. RETAINED IN THE MANAGERS OFFICE AS  
PART OF UNBEATBLE EXCELLENCE AND CUSTOMER INIATIVE ROUTINE.

## TRAINING TUESDAY

Please list below any classes that you would like to be taught. Whether it be something new or a refresh class.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.

We will be devising a schedule for training Tuesday and it will be posted.

### Team #2000 Staffing Needs

January	0
February	0
March	10
April	10
May	10
June	15
July	5
August	0
September	0
October	10
November	5
December	0

These would be temporary associates and J1 visa or part-time.  
We have experienced our J1 visa students sometimes do not arrive till the middle of June  
so that number could be higher.

July 14, 2009

Art,

After contemplating and re-reading my statement of earlier today, I have had a chance to really put my thoughts together. Your visit came as a surprise and even though the events in my statement are true, I would like to opportunity to thoughtfully add more comments.

As you know, funding raising through Wal-Mart for Children's Miracle Network (CMN), more specifically the Children's Hospital of the Kings Daughter (CHKD), is a belief of Sam Walton and his family. Wal-mart is committed to this endeavor.

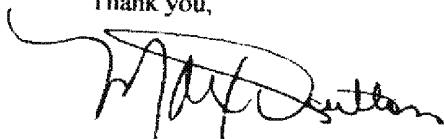
For the past eleven years, Art Glidden has been involved in CMN fundraisers periodically throughout our community. My past district managers and/or market managers knew Art to be a fine citizen donating his time to help the CHKD. When not involved with CMN, he is involved with the fire department and other community organizations raising money for the Joy Fund. The Joy Fund is a community organization which helps needy children and families. He has received the Governor's Award for volunteerism in NC. Art was persistent in his requests to volunteer at the store to raise money for CMN. He has recently been discharged from the local nursing home and wanted to get back involved.

In an earlier email followed by a conference call, each store was directed to raise \$7,500.00 for CMN. I don't recall the date of this email and conference call, but can find it if so desired. We were told to "do whatever it takes, be creative." Our store participated in many events such as beach dress up day asking associates to donate \$5.00, I was asked to donate \$20.00, bake sales, cookouts, donation raffles, and asking customers at the register for donations, plus many, many other events. During a morning meeting, the associates asked if they could put up a sign asking the truck drivers or anyone coming in the back if they would be willing to donate to CMN. Charlie Lipsey from George Marshall and Associates (a local vendor) was in the store and put money in our incubator for CMN. He mentioned to some associates and myself that his son had a brain tumor when he was an infant and how the children's hospital had helped him and his family. He said he "felt compelled to do more" and sent the store a check in the amount of \$500.00 made out to CMN to be placed in the incubator. I have his contact information for you to verify if necessary.

Other vendors, seeing what we were doing raising money for CMN, wanted to get involved. For example, Coppertone and Frito Lay both expressed their interest in donating to this cause. We discouraged these donations from vendors due to the possibility of it being deemed incorrect and looking at it as being a forced donation to benefit the vendor. Charlie Lipsey had a personal experience and was making the donation as a heartfelt, genuine contribution.

If you have any questions or concerns regarding my involvement with Wal-mart or fundraising for CMN, please know that you can contact me at any time.

Thank you,



Max Dutton  
252-261-6601 (Store)  
252-216-6686 (Cell)  
252-441-5119 (Home)  
[mdutton2000@walmart.com](mailto:mdutton2000@walmart.com)  
[mdxd@stareng.com](mailto:mdxd@stareng.com)

Covered 06/10/2009  
1:30 p.m.  
WASHINGTON, N.C.

Discussion with Eric:

- I have been under-staffed in Management since February, 2009.
- Asked repeatedly for assistance from Tracey, but she totally ignores me.
- I qualify for a Co-Manager and Carla Hurdle is a strong Co-Manager now at Store 3219. She needs to get back to North Carolina for personal reasons. She is willing to come as an Assistant, but with her current status, she would make an Outstanding choice for this store.
- With her addition, I would only take on Chris as a Trainee which is where he will be once he is completed with the class.
- I need a strong, competent, knowledgeable Assistant or Co-Manager who can assist me in getting the store operating per scorecard standards and to staff my Management team correctly and assign areas as needed. Then I can have accountability for all areas of the store.
- I have asked for requisitions to be opened by Tracey and she will not respond either favorably or unfavorably to my requests.
- This is my "Christmas season" and I need to have the proper coverage for the entire store including my Management team.
- I want all of my scorecards to improve and with the dedication from an individual such as Carla would enhance this tremendously.



**Equipment opportunities**  
**8/20/09**

- Bike Tool Box (Harry) (We currently have a toolbox but will examine the need of having another toolbox)
- More 960 - Need more 960's and printer (very slow) (checked on this on our April facelift and was told we cannot add telzons)
- Fishing (printer) new printer (called on this and NCR came out and completed the repair)
- AC broken Stockroom James HVAC 1-252-314-4635 (These get repaired in our stockroom and offices at least 1/month. Have been told that our systems have age on them) *Called on 08/21/2009*
- Telermate for accounting (has been ordered for over a month)
- Repeater issue (1) (checked on this many times, unable to add to our system)
- Pallet jack - hard wheels (Mills) (at this time we do not need pallet jacks but will order when becomes necessary)
- Forklift (Have put in for new forklift in 2007, was denied. Instead we received an old forklift from Elizabeth City)
- Want one more section of rollers (We just received new rollers during our facelift in April 2009)
- Walkie stacker (was recently totally serviced on 8/6/09, technician commented that lift found no problem with sag forward, Dougherty Equip. Co., Service call # 090805-0301)
- Broken head of bolts (Will be replaced immediately)
- Door on east side of vestibule (new doors on east side of vestibule have now been repaired twice, most recently within the past 30 days.)
- L carts and Rocket carts (we could probably use an additional 6 each)
- Buffer wire (throttle cable) (I will order from Va. Vacuum on 8/21/09) *called 08/21/2009*

Ofure 26, 2009

To Whom it May Concern:

Tonight at approximately 11:00pm. we lost power at the store. I called Max and let him know what was going on. He asked me, to go to the front of the store to check a breaker box. I told him it wasn't working. He asked me, if I had pulled all the customers & Associates to the front of the store. I replied, "yes sir." He said, "Okay I am on my way back there, I am only 5 miles away." Max came back to the store and I had already had Associates assigned to the doors and locked them. Max came inside where he started calling: Eric Mkt. Manager, Mark-Mkt. Food Merchandiser, and Lawana-Mkt AP Manager. He then called me by walkie to the Service Desk Area, where he told me, "Okay, the electric Company said the outage is due to a circuit out from a storm. It will be (2) hours before we get power back on." I then told him to go to the front of the store.

to exit the store at this time." El then got out  
at 8:03pm. Raphael and Receiving Manager-  
Debbie went around and asked the Customer  
to please exit the store and we were sorry for  
the inconvenience." After everyone was out, Max  
gave the direction for the Associates to take the  
shopping carts and put the merchandise on the  
~~shelf~~ shelves, while using flashlights to see.  
El kept walking down every aisle to have  
a visual on people. He had them filling the  
Cart Rack and zoning also. After (2) hours  
at 9:00pm the power came on. Assistant  
Manager-Debbie and myself made sure  
that all the registers were back on line  
and we opened the doors for ~~out~~ our  
customers. Max then left the store. El  
made sure Debbie was okay and ready  
for business again and then El left at  
9:30pm.

Assistant Manager,  
Gracy W. Nelson

Aug 15, 2009

To Whom It May Concern:

On Friday 8-14-09, Asst. MGR Debbie came in to work at 8:00p.m. and she obviously was in a very bad mood. She asked me, how it was. I said, "Tired, it's been a long stressful day." Debbie replied, "Oh don't go there then Debbie said, "I wish everybody would just mind their own f---ing business!" then Debbie said anything after that. Then Debbie gave me the notes for her and she looked at them. She replied, "That won't get done, or done. f--- this!" I said, "It's after 8:00p.m. and I am going home." Then I left.

Asst. MGR,  
Jenny Helton

6/15/2009 7:33AM - email Forwarded From Max To Debbie  
and Max was at Front of Store.

6/15/09 - 7:40am Max is at Subway &  
Event Calendar & Birthday Greeting Printed at Lazer  
printer (Dpt Mgrs) From his email. Teresa at the  
Computer in her office.

11:45 - I walked into Mgrs Office To use Computer To  
send my schedule and Found Max's Email's pulled up  
on the screen. I Turned around and walked out.  
Teresa S. was at the CBL Unit & Sammy was on  
the Sales Floor.

2:45 - Courts Being Finalized By Sammy.

REMOVED FIXTURES DAMAGED

**Deborah Gibson - dfgibso.s02000**

**From:** Max Dutton - mrdutto.s02000  
**To:** Deborah Gibson - dfgibso.s02000  
**Cc:**  
**Subject:** FW: Drug Screening Results  
**Attachments:**

**Sent:** Mon 6/15/2009 7:33 AM

**From:** Drug Screening Results  
**Sent:** Fri 6/12/2009 7:00 PM  
**Subject:** Drug Screening Results

WAL-MART STORES INC.  
IVR AND E-MAIL SYSTEMS

Drug Screening Results  
PLEASE DIRECT THIS NOTE TO YOUR PERSONNEL MANAGER  
-----

"NEW" IMPORTANT INFORMATION

- \* PLEASE SAVE ALL E-MAILED RESULTS (DO NOT PRINT OUT RESULTS).
- \* RETAIN THE E-MAIL RESULTS IN A E-MAIL FILE FOR A PERIOD OF THREE MONTHS.
- \* VERIFY DATE SAMPLE WAS COLLECTED.  
MUST BE COLLECTED WITHIN 24 HOURS OR NO HIRE 1 YR.(NOTIFY APPLICANT).
- \* If you have questions regarding your result, contact the  
Drug Screening Department at (479)273-4365.
- \* THIS RESULT WAS GENERATED BY AN AUTOMATED PROCESS SO PLEASE DO NOT  
REPLY BACK TO THIS MESSAGE IN CASE OF ANY QUESTIONS.

"NOTIFY ALL MANAGERS"

\*\*\* "NEW" ALCOHOL REASONABLE SUSPICION PROCEDURES\*\*\*  
\*\*\* THE "NEW" LINK IS LOCATED-PD-16-DRUG AND ALCOHOL POLICY\*\*\*

E-MAIL INSTRUCTIONS:  
--Be sure and use your DOWN ARROW to scroll through the entire message  
--as multiple results may be included.

Store Number : 2000  
Division : 01  
Chain of Custody : 6306271127  
Last 5 digits of SSN : 84474  
Date Sample was collected : Jun 11 09  
Result : NEGATIVE - OK TO HIRE

500.00  
Gift Spree

(Hrs)



# CMN GIFT CARD RAFFLE

6-3-09	49.01	
6-4-09	60.00	
6-5-09	54.00	
6-6-09	65.53	
6-7-09	44.00	
6-8-09	51.00	
6-9-09	38.00	
6-10-09	60.00	
6-11-09	37.00	458.54
6-13-09	44.90	503.44
6-14-09	-500.00	
	Shop Card	3.44
6-14-09	50.00	534.9

CWA GIFT CARD RAFFLE

6-3-09	49.01
6-4-09	20.00
6-5-09	50.00
6-6-09	65.53
6-7-09	44.00
6-8-09	51.00
6-9-09	36.00
6-10-09	60.00
6-11-09	37.00
6-13-09	44.90
6-14-09	500.00
	Shop Card 3.44



WE SELL FOR LESS  
MANAGER MAX DUTTON  
( 252 ) 261 - 6011  
ST# 2000 DP# 00004138 TE# 93 TR# 06246  
BASICBLUE GC 087458600849 500.00 0  
SUBTOTAL 500.00  
TOTAL 500.00  
CASH TEND 500.00  
CHANGE DUE 0.00

SHOP CARD ACTIVATION 500.00  
ACCOUNT 6050431673965766  
APPR. CODE = 144267  
REF #0224485  
Beg Bal Tran Amt End Bal  
0.00 500.00 500.00  
06/14/09 12:04:40

TC# 3180 8034 6378 7888 2488



Find simple tips and earth-friendly  
products at [walmart.com/green](http://walmart.com/green)  
06/14/09 12:04:54

Monday

2004

After I began my job at the APS, Annette (Gugione) came from a behavioral to work at the store. My company policy was that she up last couple of months crying every night. She included in her that she felt like she was like the mob in the store. She said Max had told her this is not Walmart this is Max's. Max had asked her to do something on the way and she told him she didn't have the authority to do so. He told her Teresa would be do it all the time. From then on I got many Neil Bennett would lay into her on Max's behalf. I asked her if she wanted me to say anything and she said no. That she needed to get to where she came from. That she was willing with people she knew at the store she came from. had also been sent into stores to fix them in her old District. She would break down every where she would talk to me that last month. She was afraid you could see it.

From my experience Max would get Alight to do his (or last of other words) dirty work. It was an Alight sign that needed talking to he was a small man. I was a former Example Winner. Max's company could care less. Had many left from the store. I was the only one who stayed.

4/27/09

Max, Teresa Shaw-Felter & Sammy

AT around 12:40 I was on lunch and walking to the Courtesy Desk down Menswear action after Sammy was walking towards the C. Desk & turned back around ~~4~~ <sup>was on</sup> the phone in menswear. He handed the phone off to Max. I went to the C. Desk and made a purchase. Then went out to my car. Sammy was in front of me walking in the parking lot. He walked to Max's Hummer & got in & I saw Teresa Shaw-Felter in the back seat of the vehicle. About 15 mins later Diane Harris came to me and said she was at Quiznos eating & Max, Sam & Teresa S. walked in together.

I pulled video and it is as follows:

correct time

12:40:01 - Sammy going towards Courtesy Desk & turns on

12:41:16 - Max walking towards menswear

12:41:45 - Kim going to Courtesy Desk to make purchase

12:44:50 - Max & Teresa S. leaving building together  
shots E 5 & 9

2:38:26 - Max drives up and drops Teresa & Sammy off at Front Door by Drink machines by Courtesy Desk.

view video

Kim [Signature]

4/27/09

- 2:40 - <sup>I heard</sup> Sammy on walkie Telling Tracy he was back
- 2:40:21 - Max was on walkie Talking about cart receiving
- 2:48 - <sup>Phyllis</sup> Payden on walkie For Teresa S. For Line 1 - Teresa S. said that
- 2:49 - Man on walkie about carts
- 2:50: Max bringing in Shopping Carts
- 2:51 - Max entering store with Line of Carts

ham

## Max Dutton - mrdutto.s02000

---

**From:** Eduardo Castro-Wright [mecastr@wal-mart.com] **Sent:** Thu 6/11/2009 11:15 PM  
**To:** 02000-US-STORE MGR  
**Cc:**  
**Subject:** Happy Birthday  
**Attachments:**

Store 2000 Manager,

A Birthday greeting has been sent to Kimberly A. Grant. Please take time today to wish them a Happy Birthday.

Wishing you the best,

Eduardo Castro-Wright  
Vice Chairman, Wal-Mart Stores, Inc.

Kim,  
Happy Birthday!  
Eduardo

<https://webmail.wal-mart.com/exchange/mrdutto.s02000.us/Inbox/Happy%20Birthday.EML?Cmd...> 6/13/2009

6/13/09

Q At around 8:15 am I was walking by the Managers Office & Max called me as I went by & I turned around & went into the office. Max said Congratulations. I said what for.

Max said don't act like you don't know I what do you mean.

He found a piece of paper on his Desk & handed it to me. It was A Birthday Message from Eduardo Castro-Wright. That Max had wrote him,

Happy Birthday!  
Max

on it.

I was in a good Frame of mind one that I put myself in - I am not going to react to anything he might say. Knowing him & being around him for past 15 yrs. I know he can make things appear to be different than they are. He was trying to get a reaction from me.



I have seen Teresa L. Key in Mine & Asst Mgr Evaluations.

Teresa sits in on conference calls & takes notes. Teresa goes to yearly Christmas party Max holds for Mgmt & Asst. Teresa attends all management meetings & also Max tells asst mgrs they can't attend conference calls she does. And He meets with only her at times as well. Teresa acts as a Co-manager. She has more say than any Asst Mgr. She makes more money than any Asst Mgr. And is quick to step up and give as she says constructive criticism. Very adamant about getting others fired for violating company policy & yet she breaks policy every day.

Office is allowed to look like Junk pile. The only personal items I had in UPC office were ordered to be thrown away while I was in Training for APC.

Max is on the phone & out of the store every day for Commissioner work.

Linda

## Cash Fund Transfer Signature Log

Case 4:11-cv-00094-BO Document 97-19 Filed 08/28/13 Page 52 of 98



**WIN A \$500.00 WALMART  
SHOPPING SPREE**

**Drawing: June 14, 2008 at 4:00 P.M.**  
For a \$2.00 donation you can 1 One! ticket or for a  
\$5.00 donation you can get 5 Three! tickets. All  
proceeds go to Children's Hospital of the King's  
Daughters and Children's Miracle Network.

June 23, 2009

To Whom It May Concern:

Today Around 3:30 p.m. to 4:30 p.m. I saw Teresa Shafelter in the Manager's Office on the Computer, looking at and answering e-mails for May Sutton. I found it odd that when I tried to enter the office, to get something out of my filing Cabinet, the door was locked. I had to use my key to get into the office and that's when I saw Teresa on the Computer.

Later on at Around 5:15 p.m. Assistant Manager Sammy came over the walkie and asked Teresa to clear out the letter to the President for him. She said, yes sir.

Assistant Manager  
Mary L. Nelson

June 23, 2009

To Whom It May Concern:

On June 12, 2009 after El left the Managers office talking with the Mkt Team (Dawana, Tracy, & Eric) they approached me on the Salesfloor and was questioning me: "Who they talking to now?" "Did they drill you about me, if I was mean?" El said, "El don't know who they are with now Sir." And "No Sir." El walked away. - Got with Debbie Beavers to be sure she was alright for the night and then left the store to start my vacation. While on vacation, I recalled a conversation El had with Gina Staffeller on Friday June 12th when El saw her crying. She told me, "El probably will loose my job today." El asked her, "Why?" She said, "El told them the truth about everything, but one thing and El lied." "They know now though." El just walked away.

Assistant Manager,  
Tracy Helton

STAINING  
DATE OBTAINED  
POSITION IN  
RELATION TO THE  
DESTRUCTION  
OF THE  
I told the customer a message to call a

I left the customer's message to call me back.  
 My number was, 23387400. I said by phone

RAND M. STEVEN HANCOCK-INTERVIEWER:  
 6200-are again we tried to purchase paint at your store. We are  
 out of gallons and required assistance for the color selected. My husband  
 tried to search for someone to help him and of course the person he found  
 didn't work in the paint department but placed for assistance to the pa-  
 int department. My husband waited in line for someone to show up to  
 him. Nobody showed at all. So I asked my husband how this is Abbe-  
 e. When time we have attempted to buy paint at your store and it is Abbe-  
 e we are old story, we leave as we came in. Emily handed  
 what you would like to know how your customers are treated.

Reference to The President Report  
Dated Dec 06/27/89 at 17:52:26 FOR RECORD PURPOSE 06/27/89  
\*\*\*\*\*  
\*\*\*\*\* WASHINGTON SICES, INC. CONFIDENTIAL \*\*\*\*\*

[illegible]

Since when do  
Office Associates

Have option 7c

View letters to

Poster 2

644



5400 North Croatan Highway  
Kitty Hawk, NC 27949  
October 23, 2006

Clayton Crosby  
Regional Vice President  
Region 48  
501 S.W. 8<sup>th</sup> Street  
Bentonville, AR 72716

Gregg May  
Market Manager  
Market 486  
210 Greenville Blvd.  
Greenville, NC 27834

Dear Clayton and Gregg:

In reference to my recent election as Dare County Commissioner and the telephone calls that you have received and I am sorry for these calls, I would like to offer the following information. I have been approached for over ten years to run as commissioner and have not accepted these invitations. Prior to entering into the May 2, 2006 primary and after speaking with Gregg, I called the Legal Department at corporate and they were more than enthusiastic about my participation in this community. They encouraged me to run and become an active citizen servant of the people. I ran in the primary and was supported by my constituents by being elected as Commissioner for the 2<sup>nd</sup> district. Since I won in this election I am on the November 7<sup>th</sup> general election, running unopposed. As with every task I face, I plan to address the concerns of the people of this county. But let me make one thing perfectly clear. I will never put the responsibilities of the operation of this store secondary to the business of Dare County. If ever that happens, I will remove myself as Dare County Commissioner. This job as commissioner is a thankless job. In no way will Wal-Mart nor this job ever be compromised or benefit from the business of Dare County. If an issue should arise involving Wal-Mart, I will remove myself from that discussion. I would need to attend meeting on the first and third Mondays of each month. Also, there could be various boards that I could be appointed to, but I believe these would be evening meetings.

Since there seems to be some concern about my ability to serve and operate this store effectively, I would like to know that I have your endorsement and support. If you feel that this would not be advantageous for me to serve as county commissioner, I will scribe my letter of resignation to the citizens of Dare County per your instructions. I would respect your decision and abide by it. I am first the manager of this store and second Dare County Commissioner. Because of the concerns expressed recently, I am offering to you both my commitment to be the manager at store #2000. I am also



extending to you the offer of resigning my position as Dare County Commissioner.  
I will await your response concerning this matter.

Respectfully,

Max Dutton  
Manager  
Store #2000  
Kitty Hawk, NC

5400 North Croatan Highway  
Kitty Hawk, NC 27949  
October 23, 2006

Clayton Crosby  
Regional Vice President  
Region 48  
501 S.W. 8<sup>th</sup> Street  
Bentonville, AR 72716

Gregg May  
Market Manager  
Market 486  
210 Greenville Blvd.  
Greenville, NC 27834

Dear Clayton and Gregg,

The purpose of this letter is to affirm that in no way will my civil service position as Dare County Commissioner interfere with my foremost position as the manager of Kitty Hawk Wal-Mart store. If you should wish to discuss this further, please contact me at your convenience. You can reach me the store at (252) 261-6011 or on my cell phone (252) 202-5125. I can also be reached at home at (252) 441-5119.

Sincerely,

Max Dutton  
Manager  
Store #2000  
Kitty Hawk, NC

- Kitchen in middle and accessible to both rooms
- Dining area and Multi-purpose room
- Multi purpose - dressing rooms for men and ladies
- Movable walls/sound-proof walls
- Room or office with shower/bathroom for Fitness Coordinator
- Additional bathroom for handicapped seniors with walkers - this needs to be close to wellness
- Should there be locker rooms?
- Separate shower and restroom for staff
- Restroom for public like entrance by wellness
- Covered entrance (quick access)
- Food delivery/easy access
- Square footage of kitchen (now 391 sq. ft. larger?) Baum center kitchen 490 sq. ft.
- Badminton can it be done in Activity room?
- How high are the ceilings?
- Multi purpose room (can we have outside lighting,, ex: sky lights)
- Move bathrooms (not walk as far)
- Private exam room
- Lobby - greeters (office our front to greet people, security)
- Outside seating/decking/patio/walking trail, gazebo's
- Transportation/vehicle?
- Polling space (voting) election
- Dressing rooms (productions)
- Janitor closet

From: Kimberly Grant - kagrants02000  
To: Kimberly Grant - kagrants02000  
Cc:  
Subject: R/B  
Attachments:

FOR RED BOOK

ON 8/21/2009  
AT AROUND 7:15AM

I WAS IN THE MANAGERS OFFICE WITH DEBBIE BEAVERS AND ASST MGR. CHRIS WEATHERINGTON. WE WERE COVERING WHAT WENT ON THAT NIGHT AND WHAT WE NEED TO DO AND WATCH ECT. I ASKED DEBBIE HOW TINA'S JOB PERFORMANCE WAS SINCE HER INCIDENT. DEBBIE SAID THAT TINA'S HAD SEEMED OK. DEBBIE INFORMED ME THAT THERE WERE RUMORS THAT TINA HAD BEEN TO A PHYSICIAN ON HER OWN. SHE MADE NEGATIVE COMMENTS ON THAT FACT, AS SHE HAD IN LENGTH AT THE TIME THE INCIDENT FIRST HAPPENED. THIS WAS SUSPICIOUS TO ME BECAUSE DEBBIE RECENTLY TOLD ME THAT A FEW ASSOCIATES, TINA INCLUDED. WERE TRYING TO GET HER FIRED.

DURING THE SAME CONVERSATION, DEBBIE TOLD CHRIS AND I THAT SHE AND LAURIE HAD BINNED ALL THE DEPT 2, 46 AND 40 MDSE. I THOUGHT IT WAS ODD THAT SHE DIDNT MENTION HAVING PERSONALLY WORKED WITH ANY OTHER ASSOCIATE. SHE SAID THAT SHE DIDNT HAVE ANYONE TO WORK, I DONT RECALL THE DEPT NUMBERS SHE NAMED OFF,

I THEN ASKED HER A FEW MINUTES LATER ABOUT LAURIE'S JOB PERFORMANCE. DEBBIE SAID THAT LAURIE DOES EVERYTHING SHE ASKS OF HER AND WHAT HER LIMITATIONS ALLOW HER AND THAT SHE DOES HER WORK FASTER THAN SOME THAT HAVE NO LIMITATIONS. WE DISCUSSED THAT LAURIE HAD ASKED ME A FEW MINS BEFORE THIS CONVERSATION IF I HAD HEARD FROM CMI, AND I SAID NO. THEY DIDNT CALL YOU? LAURIE SAID NO. I TOLD LAURIE I WOULD TRY AND CALL AGAIN THIS WEEK. I TOLD DEBBIE I THOUGHT THEY HAD CLOSED OUT THAT CASE. DEBBIE SAID IT WAS STILL SHOWING OPEN IN THE SYSTEM HOW CAN THEY CLOSE IT OUT, IF SHE HAS A LAWYER? I SAID SHE DOES? I DIDNT KNOW THAT. DEBBIE SAID I THOUGHT YOU TOLD ME THAT. DEBBIE SAID THAT CMI SHOULD CONTACT LAURIE. I SAID WELL SHE HAS TALKED TO CMI IN THE PAST AND BITCHED AT THEM TO THE POINT THEY MAY NOT TALK TO HER. ALL I KNOW IS I CALLED CMI LAST WEEK WHEN LAURIE ASKED ME TO AND LEFT MESSAGE FOR THEM TO CONTACT ME OR LAURIE AND GAVE THEM HER PHONE NUMBER. AND I HAVE NOT HEARD ANYTHING.

KIMBELRY GRANT  
APC STORE 2000

**Kimberly Grant - kagrants02000**

To... TRACEY BATTLE

Cc...

Bcc...

Subject: FYI

Attachments:

IN REGARDS TO THE SITUATION ON OVERNIGHTS I SPOKE TO YOU ABOUT -----ASST MGR INTIMATE INVOLVEMENT WITH ASSOCIATE AND ALSO FAVORITISM ECT.

I HAVE ONE STATEMENT FROM AN OVERNIGHT ASSOCIATE AS OF TODAY. (THIS ASSOCIATE DID SAY THAT THEY DID NOT WANT ME TO GIVE THEIR STATEMENT TO MAX THEY WOULD PREFER I GAVE IT TO YOU. THEY ARE AFRAID OF RETALIATION) DO YOU WANT IT SCAN SENT TO YOU? AND ONE STATEMENT ON THE WAY FROM ANOTHER. I HAVE ALSO BASED ON INFO FROM SEVERAL ASSOCIATES INCLUDING A MEMBER OF MANAGEMENT INSTALLED A CAMERA IN A LOCATION WHERE SUCH INVOLVEMENT HAS BEEN WITNESSED. ASST MGR MAY CATCH ON IF THEY VIEW MY CCTV MONITOR.....HOPING TO CATCH IT THIS WAY.

ASST MGR SAMMY TOLD ME THAT DEBBIE WAS SCROLLING THROUGH SOME PIC ON HER CELL PHONE AND THERE WAS ONE OF ASSOCIATES CINDY, LAURIE, LAURIE'S DAUGHTER AND DEBBIE BEAVERS AT THE BEACH TOGETHER.

ASST MGR CLAY SAID THAT ASSOCIATES HAVE BEEN COMING TO HIM AND TELLING HIM ABOUT SEEING LAURIE AND DEBBIE IN THE PHARMACY BIN IN NOT PROFESSIONAL POSTIONS.....

I WAS TOLD THAT ASSOCIATES HAVE SEEN LAURIE AND DEBBIE WALKING IN THE BACKROOM HOLDING HANDS, KISSING, LEANING AGAINST ONE ANOTHER.

ASSOCIATES ON OVERNIGHT CREW DO NOT HAVE RESPECT FOR DEBBIE AT THIS TIME AND DO NOT FEEL COMFORTABLE WORKING UNDER HER. THEY FEEL SHE IS A BAD EXAMPLE AND IT IS SHOWING IN THEIR WORK.

*KIMBERLY GRANT*

*APC STORE #2000*

*KITTY HAWK, NC*

ON 8/21/2009  
AT AROUND 7:15AM

I WAS IN THE MANAGERS OFFICE WITH DEBBIE BEAVERS AND ASST MGR. CHRIS WEATHERINGTON. WE WERE COVERING WHAT WENT ON THAT NIGHT AND WHAT WE NEED TO DO AND WATCH ECT. I ASKED DEBBIE HOW TINA'S JOB PERFORMANCE WAS SINCE HER INCIDENT. DEBBIE SAID THAT TINA'S HAD SEEMED OK. DEBBIE INFORMED ME THAT THERE WERE RUMORS THAT TINA HAD BEEN TO A PHYSICIAN ON HER OWN. SHE MADE NEGATIVE COMMENTS ON THAT FACT, AS SHE HAD IN LENGTH AT THE TIME THE INCIDENT FIRST HAPPENED. THIS WAS SUSPICIOUS TO ME BECAUSE DEBBIE RECENTLY TOLD ME THAT A FEW ASSOCIATES, TINA INCLUDED, WERE TRYING TO GET HER FIRED.

DURING THE SAME CONVERSATION, DEBBIE TOLD CHRIS AND I THAT SHE AND LAURIE HAD BINNED ALL THE DEPT 2, 46 AND 40 MDSE. I THOUGHT IT WAS ODD THAT SHE DIDNT MENTION HAVING PERSONALLY WORKED WITH ANY OTHER ASSOCIATE. SHE SAID THAT SHE DIDNT HAVE ANYONE TO WORK , I DONT RECALL THE DEPT NUMBERS SHE NAMED OFF,

I THEN ASKED HER A FEW MINUTES LATER ABOUT LAURIE'S JOB PERFORMANCE. DEBBIE SAID THAT LAURIE DOES EVERYTHING SHE ASKS OF HER AND WHAT HER LIMITATIONS ALLOW HER AND THAT SHE DOES HER WORK FASTER THAN SOME THAT HAVE NO LIMITATIONS. WE DISCUSSED THAT LAURIE HAD ASKED ME A FEW MINS BEFORE THIS CONVERSATION IF I HAD HEARD FROM CMI, AND I SAID NO. THEY DIDNT CALL YOU? LAURIE SAID NO. I TOLD LAURIE I WOULD TRY AND CALL AGAIN THIS WEEK. I TOLD DEBBIE I THOUGHT THEY HAD CLOSED OUT THAT CASE. DEBBIE SAID IT WAS STILL SHOWING OPEN IN THE SYSTEM HOW CAN THEY CLOSE IT OUT, IF SHE HAS A LAWYER? I SAID SHE DOES? I DIDNT KNOW THAT. DEBBIE SAID I THOUGHT YOU TOLD ME THAT. DEBBIE SAID THAT CMI SHOULD CONTACT LAURIE. I SAID WELL SHE HAS TALKED TO CMI IN THE PAST AND BITCHED AT THEM TO THE POINT THEY MAY NOT TALK TO HER. ALL I KNOW IS I CALLED CMI LAST WEEK WHEN LAURIE ASKED ME TO AND LEFT MESSAGE FOR THEM TO CONTACT ME OR LAURIE AND GAVE THEM HER PHONE NUMBER. AND I HAVE NOT HEARD ANYTHING.

KIMBELRY GRANT  
APC STORE 2000

Gregory Anders

This is a statement of things I have seen and heard about in Store 2000. There are some situations I've seen myself involving a manager of night and was an Associate. I know of other situations but I do not recall the dates and times. June 2<sup>nd</sup> Debbie came in on one of her meal shifts and I believe to help out for half the night. June 20<sup>th</sup> and I are doing our shifts in receiving & while Debbie was doing cash Laurie do debt 2,40,000.46 (the debt they are working). Cindy finishes her picks for debt 2 card goes out to her dept. while Debbie was Laurie work side by side doing 40,000.00 picks and proceed to the bank. After, Debbie made it known she was leaving by 2am (lunch time). Laurie asked Clay to ask if she could work early because her body wasn't all over but just a few min. later before that I hear her (singing a lullaby in the pharmacy 615 getting a box out Clay told her no he needs her help for the night she hangs up the phone. Her and Debbie work pharmacy together til about 1:30 am I believe and Debbie leaves. Laurie has Jennifer call Clay to ask if she (Laurie) could go back again. Clay said NO if you want it →



will be ~~an~~ excused. Laurie said  
THAT'S FINE went to the break  
room got her things cleaned out  
and ~~was~~ not 10-15 mins after  
Debbie. That has happened on more  
than one occasion. June 11th I  
remember again Debbie and Laurie do  
40, and 46 picks together. Then work  
the same together bring over stock  
back together and hang out in the  
46 bin together while they were doing  
picks. Every night that Laurie is  
at work Debbie will work side  
by side with her. Doing picks  
working the depts. and bringing over  
stock back together. There have been  
more than a few nights when  
I was the only one working the  
back room and Debbie says we have  
a lot of work to do in the back  
room do what you can and then goes  
to help Laurie work 40 and 46.  
They ~~also~~ always do 40, 46 and  
sometimes 2 picks together if one  
finishes early that one goes and  
waits in the bin with the other  
until she is finished. There has  
been a couple nights when  
they were doing picks in 40 and  
46 bin together and I  
did not hear any beeping or clicking  
of the trigger or any merchandise >

being thrown into the basket for  
about 15 mins. Cindy, Debbie and  
Laurie have all confessed the whole  
situation to one particular associate  
and is no longer on nights but  
now works 3rd shift. The whole  
situation is affecting the morale  
of the entire 3rd shift. There are  
some associates including myself  
that do not want to work with  
either Debbie or Laurie. On nights  
that they both work you can never  
find them more than 3 ft from  
each other. myself and other  
associates have seen them coming  
out of the restroom together. Going  
outside to let associates in from  
church together. More than one  
associate has told me they have seen  
Debbie and Laurie rubbing against  
each other in the bins. Also Paul  
told me about something Debbie said  
to him personally. Paul and Georgy  
were working together on nights with  
Debbie. Called them both to Queen  
center and Paul said to Debbie  
you should tell me what it is  
exactly you want me to do because  
I still have candy to work. Debbie  
said Georgy love your ears. So he'd  
seen her. Debbie says fuck you Paul.  
Paul said no thank you. Debbie →

launched and said at least you  
just say what Laurie says,  
so Paul asked what does Laurie  
say? Debbie replied Laurie says  
where and when? Paul then asked  
Debbie what do you say to  
Laurie then? Debbie said that  
she tells her when I am not  
the only one that has noticed  
the complete turn around Debbie's  
work ethic and motivation towards  
the whole store has taken. And  
now is only focused on working  
with Laurie and Pharmacy.

July 25<sup>th</sup> 3:20 am Debbie and  
Laurie once again bring their  
outstock back to P and walk  
together into the office and  
shut the door for about 15  
mins and do it again about  
30 mins later with cosmetics  
outstock and go into the  
office again with the door  
closed. There is a lot more  
I just do not have time  
of data for. I am sure some  
other associates to some that  
are not even on 3<sup>rd</sup> shift.  
I fear that Debbie is being very  
unprofessional and not showing  
one good example of leadership.  
I am also positive that I am →

not the only associate that  
focus that way. There have  
also been ~~other~~ occasions when  
she has been talking to Associates  
about other associates as far as  
gossip. If this is our ~~last~~ <sup>last</sup>  
~~for~~ 3<sup>rd</sup> shift I personally would  
like to be moved to a different  
shift. I do not want to have  
to watch this go on any longer.  
It is like late night at  
Walmart store 2000. It is not  
a good example for Mgmt at all.  
Both Debbie and Laurie have  
come into work on the same  
night with 3 or 4 Hickeys on both  
of their necks. That is very  
unprofessional and I do not feel that  
Debbie is putting any focus on  
what's going on in the store  
at nights. ~~Only~~ she is only focusing  
on Laurie's wants and needs.  
And I do not feel that it is  
fair to me or anyone else on  
the 3<sup>rd</sup> shift to have to work, deal,  
see, and hear about this all week  
long at work. It is completely  
unprofessional and unfair.

7/30 - 8/01

- Cindy + Laurie late  
Cindy's face was red and looked teary eyed when she came in.
- Debbie and Laurie did picks for 2, 4, 92 together.  
10:26 pm cosmetics bin together + 1 Deer  
~~10:26~~ goes to lock garden center door at  
10:57 pm.
- 11:08 pm Debbie comes back to the bins,  
and Her and Laurie go to the pharmacy  
bin together.
- 11:00 am Debbie and Laurie come out  
front to let us in from lunch.
- 3:43 am both Debbie and Laurie bring  
back the pharmacy overstock back  
and go into one of the bins by the  
pharmacy bin together.
- 5:00 am on break Cindy, Laurie, and  
Debbie are joking around, and Cindy  
saves ~~about~~ about Laurie being a  
tease. ~~and~~ Debbie says Oh Don't  
go there. Cindy ~~laugh~~ laughs and  
Laurie's face turns red, and all 3  
of them laugh about it.
- 6:40 am Debbie and Laurie bring back  
1 cart of cosmetics back together, then  
go to the office together.
- They have worked together all night  
and once again have not been more than 30 min.

Debbie talks about associates to other associates when anyone goes in to the office she brings the information to the floor then it turns to gossip. She knows better!

Example #1 Janet went in the office on told Debbie she thought it didn't look good that Jennifer was sitting on the computer desk right in front of clay it gave the wrong impression to someone passing by. Cause we "3rd" shift just went through some other things with an other assistant manager.

Debbie told Jennifer what Janet had said about her in the office which caused anger on both between the two on fueled gossip on the floor. After a month or two things were worked out between everyone but no one knew where the problem was it was Debbie. So much for open door.

Example #2 Debbie or Mike would go in to the office for long periods of time from 15 min to some times almost an hour. One night Debbie is crying or crying, well he comes out on tells people they was mean to her! who cares she should be on the floor not in the office.

Debbie would let Mike or the computer in the office for long periods of time, he even bragged how he could go in on for find anyone's personal records on put coaches in

in their files. I thought that concern  
up to clay. An clay assured me he  
can't ~~has~~ have the passwords or  
phone to do that. But I told clay  
debbie lets miss in that office for  
the time has do he knows debbie didn't  
show him clay said I know.

Example #3 Debbie picks her  
meetings to belittle clay, she will say  
something like "I don't know what clay  
did last night" or clay won't doing his  
job in the task manager you need to  
demand him. or I don't know what clay  
was himself doing. An when she say  
so to put him down. If she comes in  
an don't like what she see she will start  
the meeting off as to say its all clays  
fault.

Example #4 Debbie told two  
associates she wasn't going to give  
greg an interview cause she thought he  
wasn't ready an there was no need for  
it. One associate went an told greg  
needless to say that sparked off  
tempers. Finally it got back to debbie  
greg had found out so she called  
the other associate into the office an  
it was a male associate she called  
into the office without the company  
of know one. Debbie came out with  
tears in her eyes. Tempers ran high  
for awhile due to what she had said

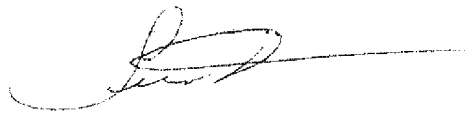
Example #5 Debbie and Jennifer were standing at the jewelry counter laughing and whispering ~~for~~ for a good while I would say more than 10 minutes on every once in a while they would look over my way. One like told another night with the hostile attitude when they were done Debbie passed by me and said "if they think I'm a lesbian then I wish be one. and grab a sword to make her point I knew her words were towards me but Jennifer broke her neck to make me believe it ~~wasn't~~ wasn't. I had to Jennifer earlier Debbie was acting like one. So Jennifer tried playing it off as they were talking about mills but I told her Debbie should've been talking to you about anyone you are not her equal Jennifer agreed. Kate Debbie pulled me in her office on 5<sup>th</sup> 11<sup>th</sup> nearly as the 2 could she said you got something to say to me I said nope and left the office Since that night Debbie has never said that tone to me again. I know they were talking about me I couldn't make it cause they had picked up and said it was about mills



debby's favoritism on the shift is awful!  
her new pet as I like to call her is  
Dianne, who is what I have seen!!  
Dianne on Dianne in the pharmacy unit  
is what I would call an unprofessional  
way Dianne was teased when she was  
not being touching close, ("not with her  
mind") but her breast on debbie ~~and~~ leaning  
over her, it was already midday  
from passing the time, when they  
asked me they moved apart but to  
left I seen them. Yes I did tell  
it I told Clay on Janice what I  
saw. Other times I would go  
up front on they "debby on dianne"  
would be out side, or in the office  
on they always have to do picks  
together, debbie works side by side  
with Dianne in Pharmacy or roommates.  
Where most popular place is the  
lino. If you need debbie on page  
and go to the lino or pharmacy  
that is what people are saying.

There is just no respect for  
debby as an assistant, she comes  
to work with hickies wrapped around  
her neck, associates joke her about  
it on she just takes it, ~~because~~  
something you do at home need to  
stay at home.

She made a statement one night what  
she do in her private time is know-  
ones business, another associates says  
that house but you wear yours to  
work. There are nights while  
cubba is in Pharmacy with Laurie  
there are associates playing going  
off not caring if or what they do  
but don't get it wrong comes 5:45 am  
there work is done but they could be  
was done at least a hour before  
we gone to another dept



5/3/09

To Whom It May Concern:

On Sat 8/1/09 Assistant Manager Debbie told me, that Natalia needed to stop working in foods and work in HBA on nights + weekends like she was hired in for. El told Debbie, that she needed to talk to Assistant Manager - Jimmy, because he was the one changing her (Natalia) schedule. Debbie stated, "Well it took Laurie + myself over an hour to zone HBA last night." The next morning when El came in, Debbie told me that Laurie had binned all the freight from the O.S. buggies from both HBA + Pharmacy. But couldn't get the silver cart, due to lack of time. Later when El was in receiving "H" talking to Assistant Manager - Clay, Debbie came up to us and said, "Laurie + El got all the O.S. carts for HBA + Pharmacy binned. But we didn't get to the silver cart." Then she walked off, got her purse and left the store.

Also on Saturday morning, when El came into work at 6:45 Am. El walked into the managers office. Assistant

2 Associates from 3rd Shift - these  
Associates were Lanie + Cindy.

Asst. Mgr.  
Tracy Helton

ON 8/21/2009  
AT AROUND 7:15AM

I WAS IN THE MANAGERS OFFICE WITH DEBBIE BEAVERS AND ASST MGR. CHRIS WEATHERINGTON. WE WERE COVERING WHAT WENT ON THAT NIGHT AND WHAT WE NEED TO DO AND WATCH ECT. I ASKED DEBBIE HOW TINA'S JOB PERFORMANCE WAS SINCE HER INCIDENT. DEBBIE SAID THAT TINA'S HAD SEEMED OK. DEBBIE INFORMED ME THAT THERE WERE RUMORS THAT TINA HAD BEEN TO A PHYSICIAN ON HER OWN. SHE MADE NEGATIVE COMMENTS ON THAT FACT, AS SHE HAD IN LENGTH AT THE TIME THE INCIDENT FIRST HAPPENED. THIS WAS SUSPICIOUS TO ME BECAUSE DEBBIE RECENTLY TOLD ME THAT A FEW ASSOCIATES, TINA INCLUDED, WERE TRYING TO GET HER FIRED.

DURING THE SAME CONVERSATION, DEBBIE TOLD CHRIS AND I THAT SHE AND LAURIE HAD BINNED ALL THE DEPT 2, 46 AND 40 MDSE. I THOUGHT IT WAS ODD THAT SHE DIDNT MENTION HAVING PERSONALLY WORKED WITH ANY OTHER ASSOCIATE. SHE SAID THAT SHE DIDNT HAVE ANYONE TO WORK, I DONT RECALL THE DEPT NUMBERS SHE NAMED OFF,

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KIMBELRY GRANT  
APC STORE 2000

Gregory Anders.

This is a statement of things I  
have seen and heard about in Store 2000.  
These are some situations I've seen  
myself involving a member of night  
and also an associate. I know of shelter  
situations but I do not recall the  
dates and times. June 25<sup>th</sup> Debbie  
came in on one of her vacation days  
I believe to help out for that the  
night. Jennifer and I were doing our  
usual in receiving C. while Debbie helps  
Cindy and Laurie do debt 2, 40, and 46  
mills (the debts they are working). Cindy  
finishes her debt for debt 2. and goes  
out to her debt while Debbie and  
Laurie work side by side doing 40,  
and 46 mills and proceed to the  
next floor. Debbie made it known  
she was leaving by 2am (lunch time).  
Laurie asked Clay to ask if she  
could leave early because her body  
wasn't all over but just a few minutes  
before that I saw her climbing  
a ladder in the pharmacy bin getting  
a box out Clay told her to be  
mindful and help for the night she  
hung up the phone. Her and Debbie work  
pharmacy together til about 1:30 am  
I went and Debbie leaves. Laurie  
had Jennifer call Clay to ask if  
she (Laurie) could go home again.  
Clay said no is you want it →

will be an excuse. Laurie said  
THAT'S FINE went to the back  
room got her things clocked out  
and left not 10-15 mins after  
Debbie. That has happened on more  
than one occasion. June 11<sup>th</sup> I  
saw. Again Debbie was unable to  
do 4C and 4B picks together. Then work  
the depts together, bring over stock  
back together and hang out in the  
4B bin together while they were doing  
business. Every night that Laurie is  
at work Debbie will work side  
by side with her. Doing picks  
working the depts. and bringing over  
stock back together. There have been  
more than a few nights when  
I was the only one working the  
back room and Debbie says we have  
a lot of work to do in the back  
room do what you can until then goes  
to help Laurie work 4C and 4B.  
They ~~also~~ always do 4C, 4B and  
sometimes 2 picks together if one  
finishes early that one goes and  
waits on the bin with the other  
until she is finished. There has  
been a couple nights when  
they were doing picks in 4A and  
2 and 4B bin together and I  
did not hear any bell or clicking  
of the trolley or any merchandise.

being thrown into the basket for  
over 15 mins. Cindy, Debbie, and  
Laurie have all confessed the whole  
situation to one particular associate  
and is no longer on nights but  
now works in shift. The whole  
situation is affecting the morale  
of the entire 3rd shift. There are  
some associates including myself  
that do not want to work with  
either Debbie or Laurie. On nights  
that they both work you can never  
find them more than 3ft from  
each other. myself and other  
associates have seen them coming  
out of the restroom together, going  
outside to let associates in from  
lunch together. more than one  
associate has told me they have seen  
Debbie and Laurie rubbing against  
each other in the bins. Also Paul  
told me about something Debbie said  
to him personally. Paul and Georgy  
were working together on night and  
Debbie called them both to Golden  
center and Paul said to Debbie.  
you should tell me what it is  
exactly you want me to do because  
I still have candy to work Debbie  
said Georgy cover your ears. so he did  
and she Debbie says fuck you Paul.  
Paul said no thank you. Debbie →



laughed and said at least you  
don't say what Laurie says.  
So Paul asked what does Laurie  
say? Debbie replied Laurie says  
where and when? Paul then asked  
Debbie what do you say to  
Laurie then? Debbie said that  
she tells her when. I am not  
the only one that has noticed  
the complete turn around Debbie's  
work ethic and motivation towards  
the whole store has taken. And  
now is only focused on working  
with Laurie and Pharmacy.

July 25<sup>th</sup> 3:20 am Debbie and  
Laurie once again bring their  
overstock back to O and walk  
together into the office and  
shut the door for about 15  
mins and do it again about  
30 mins later with cosmetics  
overstock and go into the  
office again with the door  
closed. There is a lot more  
I just do not have time  
of dates for. I am sure some  
store associates do, some that  
are not even on 3<sup>rd</sup> shift.  
I feel that Debbie is being very  
unprofessional and not showing  
one good example of leadership.  
I am also positive that I am →

not the only associate that feels that way. There have also been ~~several~~ occasions when she has been talking to Associates about other associates as far as gossip. If this is our Lakeside 3rd shift I personally would like to be moved to a different shift. I do not want to have to watch this go on any longer. It is like date night at Walmart store 2000. It is not a good example for mgmt at all. Both Debbie and Laurie have come into work on the same night with 3 or 4 Hickeys on both of their necks. That is very unprofessional and I do not feel that Debbie is putting her focus on what's going on in the store at nights. ~~that~~ she is only focusing on Laurie's wants and needs. And I do not feel that it is fair to me or anyone else on the 3rd shift to have to work, deal, see, and hear about this all week long at work. It is completely unprofessional and unfair.

7/30 - 8/01

- Cindy + Laurie late  
Cindy's face was red and looked teary eyed when she came in.
- Debbie and Laurie did picks for 2, 4, 90 together.  
10:26 pm cosmetics bin together +! Debbie ~~goes~~ goes to lock garden center door at 10:57 pm.
- 11:08 pm Debbie comes back to the bins, and Her and Laurie go to the pharmacy bin together.
- 3:00 am Debbie and Laurie come out front to let us in from lunch.
- 3:43 am Both Debbie and Laurie bring back the pharmacy overstock back and go into one of the bins by the pharmacy bin together.
- 5:00 am on block Cindy, Laurie, and Debbie are joking around, and Cindy jokes ~~about~~ about Laurie being a tease. ~~Debbie~~ Debbie says Oh Don't go there. Cindy ~~laugh~~ laughs and Laurie's face turns red, and all 3 of them laugh about it.
- 6:40 am Debbie and Laurie bring back 1 cart of cosmetics back together, then go to the office together.
- They have worked together all night and once again have not seen more than 3 ft apart.

Debbie talks about associates to other associates when anyone go in to the office she brings the information to the floor then it turns to gossip. She knows better!

Example #1 Janet went in the office and told Debbie she thought it didn't look good that Jennifer was sitting on the computer desk right in front of clay it gave the wrong impression to someone passing by cause we "3rd" shift just went through some other things with an office assistant Manager.

Debbie told Jennifer what Janet had said about her in the office which caused anger on Jackson between the two on fueled gossip on the floor after a month or two things were worked out between everyone on such knew where the problem was it was Debbie so much for open door.

Example #2 Debbie as mail would go in to the office for long periods of time from 15 min to some times almost an hour. One night Debbie is crying on crying, well he comes out on tells people Max was mean to her! who does she should be on the floor not in the office

Debbie would let mails on the computer in the office for long periods of time, he even bragged how he could go in and find anyones personal records on put coaches in

in their files, I thought that concern  
up to clay an clay assured me he  
can't ~~be~~ have the passwords or  
phone to do that. But I told clay  
debbie lets miss in that office for  
the time how do he know debbie didn't  
show him. Clay said I know.

Example #3 Debbie picks her  
meetings to belittle clay, she would say  
something like "I don't know what clay  
did last night" or clay won't doing his  
job so the task manager will need to  
remind him, or I don't know what clay  
does himself doing. An example she say  
to to put him down. If she comes in  
an don't like what she see she would start  
the meeting off as to say its all clays  
fault.

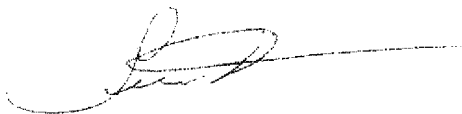
Example #4 Debbie told two  
associates she wasn't going to give  
guy an interview because she thought he  
wasn't ready an there was no need for  
it. One associate went an told guy  
needless to say that sparked off  
tempers. Finally it got back to debbie  
guy had found out so she called  
the other associate into the office an  
it was a male associate she called  
into the office without the company  
of anyone. Debbie came out with  
tears in her eyes. Tempers ran high  
for awhile due to what she had said

Example #5 Debbie and Jennifer were standing at the juicing counter laughing and whispering ~~for~~ for a good while I would say more than 10 minutes on every once in a while they would look over my way. I'm like "I told another night with the hostile attitude when they were done Debbie passed by me and said "if they think I'm a bitch then I will be one. and grab a Pulver to make her point I knew her words were towards me but Jennifer took her neck to make me believe it ~~wasn't~~ wasn't. I had to Jennifer earlier Debbie was acting like one. So Jennifer tried playing it off as they were talking about meals but I told her Debbie shouldn't been talking to you about anyone you are not her equal Jennifer agreed. Later Debbie pulled me in her office and ~~was~~ was as the ~~one~~ could she said you got something to say to me I said nope and left the office Since that night Debbie has never used that tone to me again. I know they were talking about me I couldn't prove it cause they had packed up and I said it was about meals

Debbie's favoritism on the shift is awful!  
Her new pet as a way to call her is  
Stacie, who is what I have seen!!  
Debbie in Stacie in the Pharmacy unit  
in which I would call an unprofessional  
way Stacie was leaned over on Debbie's  
left side touching close, ("not with her  
hand") but her breast on Debbie ~~head~~ leaning  
over her, I was already midway  
from passing the line, when they  
noticed me they moved apart but to  
late I seen them. Yes I did tell  
St. I told Clay on January what I  
saw. Other times I would go  
up front on they "Debbie on Stacie"  
which is out St. or in the office  
so they always have to do pick  
things, Debbie works side by side  
with Stacie in Pharmacy or Cosmetics.  
There most popular place is the  
line. If you need Debbie on Page  
not go to the line or Pharmacy  
that is what people are saying.

There is just no respect for  
Debbie as an assistant. She comes  
to work with pickles wrapped around  
her neck, associates joke her apart  
that on she just takes it. ~~Debbie~~  
Situations you do at home need to  
stay at home.

She made a statement one night what  
we do in her private time is now-  
one business. Another associates says  
that true but you wear yourself to  
work. There are nights when  
dubois is in pharmacy with Laurie  
there are associates playing gozings  
off not caring if or what they do  
but don't get it wrong comes 5:45 am  
there work is done but they couldn't  
be done at least a hour before  
in gone to another dept





8/3/09

To Whom It May Concern:

On Sat 8/1/09 Assistant Manager Debbie told me, that Natalia needed to stop working in foods and work in HBA on nights + weekends like she was hired in for. El told Debbie, that she needed to talk to Assistant Manager - Sammy, because he was the one changing her (Natalia) schedule. Debbie stated, "well it took Laurie + myself over an hour to zone HBA last night." The next morning when El came in, Debbie told me that Laurie had binned all the fruit from the O.S. buggies from both HBA + Pharmacy. But couldn't get the silver cart, due to lack of time. Later when El was in receiving "A" talking to Assistant Manager - Clay, Debbie came up to us and said, "Laurie + el got all the O.S. carts for HBA + Pharmacy binned. But we didn't get to the silver cart." Then she walked off, got her purse and left the store.

Also on Saturday morning, when El came into work at 6:45 Am. El walked into the managers office. Assistant Manager - Debbie was in there with

2 Associates from 3rd Shift - These  
Associates were Laurie + Cindy.

Asst. Mgr.  
Tracy Helton

REMOVED FIXTURES DAMAGED

**Kimberly Grant - kagrants02000**

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**From:** Kimberly Grant - kagrants02000  
**To:** Max Dutton - mrdutto.s02000  
**Cc:**  
**Subject:** FW: CMN?  
**Attachments:**

**Sent:** Fri 6/19/2009 10:00 PM

Max,

Please read below the answer to the CMN Donation Question.

Thanks,  
KIMBERLY GRANT  
APC STORE #2000  
CITY HAWK, NC

---

**From:** Dawana Riddick - D0RIDD  
**Sent:** Fri 6/19/2009 2:31 PM  
**To:** Kimberly Grant - kagrants02000  
**Cc:** Eric Litchfield; Tracey Battle  
**Subject:** RE: CMN?

Hi Kim

I have spoke to Eric and Tracey about this and we feel that if the customer wants to donate the card she could donate it directly to the hospital.

Thanks

Dawana Riddick MAPM  
Market 486  
(252) 314-5155 Cell

**Kimberly Grant - kagrant.s02000**

**From:** Dawana Riddick - DORIDDI  
**To:** Kimberly Grant - kagrant.s02000  
**Cc:**  
**Subject:** Re: question  
**Attachments:**

**Sent:** Wed 6/24/2009 9:03 AM

We will add this to the investigation.

---

**From:** Kimberly Grant - kagrant.s02000  
**To:** Dawana Riddick - DORIDDI  
**Cc:** Tracey Battle  
**Sent:** Tue Jun 23 16:31:51 2009  
**Subject:** question

out of curiosity why couldn't anything be done when Teresa threatened me on June 12th? Why was that not grounds for termination? Wasn't that retaliation on Debbie and Myself? It has just been on my mind? and Do you think there is more to all this than we already know. I have thought maybe there is something much bigger than we know going on. I do not know how to look at invoicing and see that no fake vendors are in there or anything of that nature.

I thought it was hilarious yesterday, Tracey said Max had her in the office and said he was giving her a training class on how to finalize on hand changes. She said it was so she would have to finalize them.

*KIMBERLY GRANT*  
*APC STORE #2000*  
*KELLY HAWK, NC*

Kimberly Grant - kagrants02000

To... Dawana Riddick - DORIDDI; Art Binder

Cc...

Bcc...

Subject: Video review

Attachments:

As documentation to follow up on the phone call I made to Art Binder and Dawana Riddick this morning,

The accounting office video review for 6/14/2009 did not show Asst Mgr Sammy putting a raffle ticket or anything to do with the raffle in the accounting office from the hours of 1500 thru 2100 hours.

I have recorded the video footage on a dvd and finalized it and have it secured in a different location than the original vhs tape. There was not shot of the raffle table area. Sammy says he doesn't know who contacted the customer initially to have found out that they were donating the money back to CMN. He doesn't know if he called the customer or not. He says that Art handed him the winning ticket outside of the accounting office sometime after 4pm. I have no video of the outside hallway of the accounting office. There is a camera there but it only shows up in accounting on the monitor it does not go to my office to record.

If I can be of further assistance please let me know.

*KIMBERLY GRANT*

APC STORE #2000

KITTY HAWK, NC

Art Glidden

305

2981

Art's Place

261-3233

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Always Low Prices- Always

**Teresa Shanefelter**

Community Involvement

Coordinator

5400 North Croatan Highway

Kitty Hawk, NC 27949

252-261-6011, ext. 183

Fax: 252-261-1397



4/5/09 7:50am Sunny day, no traffic to the  
"Downtown" area the last 1000 ft. of the road.

9/ 4/5/09 12:15pm Sunny day, no traffic  
it seems you must be able to see the road  
the road is not 1000 ft. long.

✓ For if you assume that the road is not  
then you must be able to see the road.

6/27/09

I will Try To Find out more about drawing for CMV. I was here that Day & never heard over the intercom that they were drawing a Ticket & Never Heard an announcement as to who ~~was~~ the winner was. And usually it is very publicized. A Big deal is made.

The ticket is not here.

The customer who won is Tammy Nichols who leases the building & runs Art's Place. It is to my understanding that Art doesn't having an interest in the business anymore but he does hang there & still acts like he runs the place or at least can do what he wants while there. I had been Told that Tammy & the co-own of Art's Place Take care of Art. (not sure how)

Tonja would have more insight on that she use to work there <sup>I think</sup> & she spent a lot of time there & knows all of them very well.

Kim



5/23/09 - On & over walkie about vendors must be at Harris Teeters - They had 2 students pack all their Freshen. Jennifer said something & the ~~Max~~ Max said, I said Sammy Not Jennifer.

7:19:am Max said on Walkie To Clay - You Dismiss your night crew all at once. They don't leave till you Dismiss them.

From 7:20 Till -

Teresa Shanfelter walking Floor for Opportunities.

5/23/09 8:11 am - Max said to me (in the Action Area) By mens & Ladies. Eric L. said that we are down 3 Asst Mgrs & A CO (Due to Volume) ~~With~~ With An AFC in the building shouldn't be a no. And he said outside the store ~~Eric~~ Eric told him <sup>what the hell</sup> I Don't Care if she is a personnel Mgr or what she should have cleaned the refrigerators & not gotten a no.

I Told Max One person cannot due all of Nations Priorities or the Shrink Matrix. It is just not <sup>humanly</sup> possible. And he was blowing air into a Ball and I walked away. ~~And~~ And he also said Eric was going to come to whoever was in charge of that Section next time about the no's.

5/21/09 - T.S. in on Mgmt Meeting after Eric left

5/22/09 - T.S. in on Conference call.

5/25/09 - T.S., Sunny & Max - Max Bought T.S. Drink & Food.  
(Subway) He did offer me a drink because I was there.  
I declined.

6/2/09 - T.S. & Max eating in subway